

Victim/Witness Notification Process and Sexual Offender Registration

**DOJ Victim and Witness Liaison
Training Conference
7-8 May 2003**

**By
Ms. Sylvia Mitchell
HQ, Department of the Army Corrections**

PURPOSE

To provide an overview of the role of the Department of Defense Corrections System in the implementation of the Victim and Witness Assistance Program and the Sexual Offender Registration Program

BRIEFING AGENDA

- Mission
- Background
- Corrections Initiatives
- Notification Process
- Sentence Computation
- Questions/ Answers



MISSION

Each Service Corrections System will develop and implement polices and procedures to support the V/WAP and act as the Central Repository for the notification of victims and witnesses of prisoner's of prisoner's status changes.

BACKGROUND

- **Victim/Witness Protection Act of 1982**
 - Protection & Assistance to V/W
 - Police & Lawyers responsible officials
- **Victims of Crime Act of 1984**
 - Provides DOJ with funding
 - Established Crime Victims Fund
- **Crime Control Act of 1990**
 - Victim's right to information about offenders
- **National Defense Authorization Act 1994**
 - Mandates procedures and centralized system to notify V/W of inmate status changes
- **DOD IG Report on V/W Assistance 1991**
 - Roles and responsibilities not defined
 - No internal management controls
 - Lack of coordination among Services
 - Lack of guidance in Corrections

BACKGROUND (Con't)

□ DOD IG Evaluation of DOD Correctional Facility Compliance with Military Sex Offender Notification Requirements 2002

- Revise/reissue policies on military sex offender notification
 - Sex offender convicted by court martial but not sentenced to confinement
 - Military offender with prior sex offense conviction currently being released from confinement
 - Military sex offender convicted outside the United States with or without confinement
 - Establish a time requirement and responsibility for completing notification involving sex offender convicted by courts martial, but not sentenced to confinement
 - Adopt oversight management mechanism to track sex offender notifications
 - Revise current Report of Results of Trial to specifically indicate whether sex offender notification is required
 - Issuance of policy for a person sentence by a Summary Courts martial for a **COVERED** sex offense requiring sex offense notification
- All Military Departments to ensure the DD Form 2704 for adjudge prisoners are received by the gaining facility
- Enact procedures to receive missing DD Form 2404s for currently confined prisoners

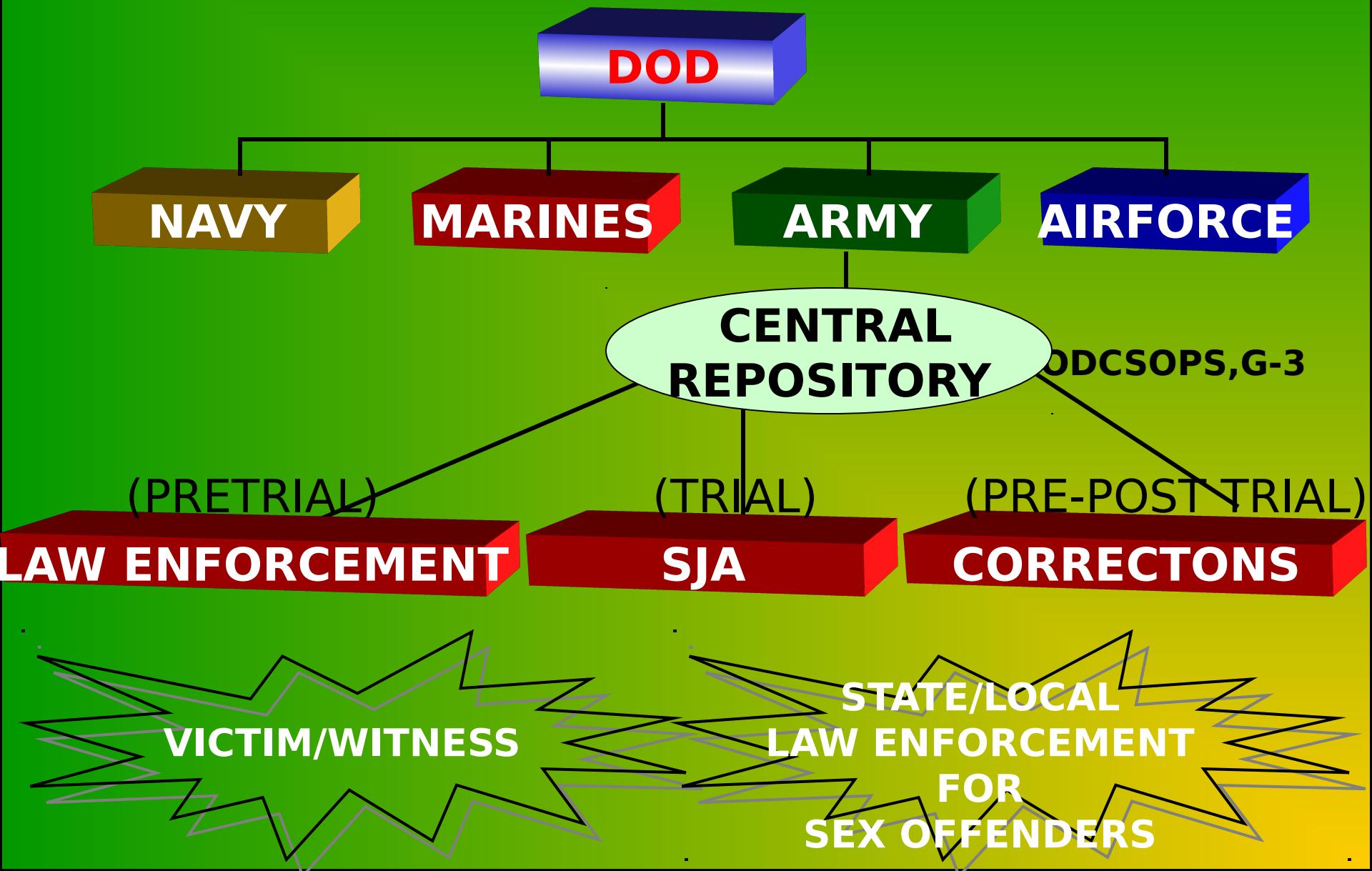


CORRECTIONS INITIATIVES

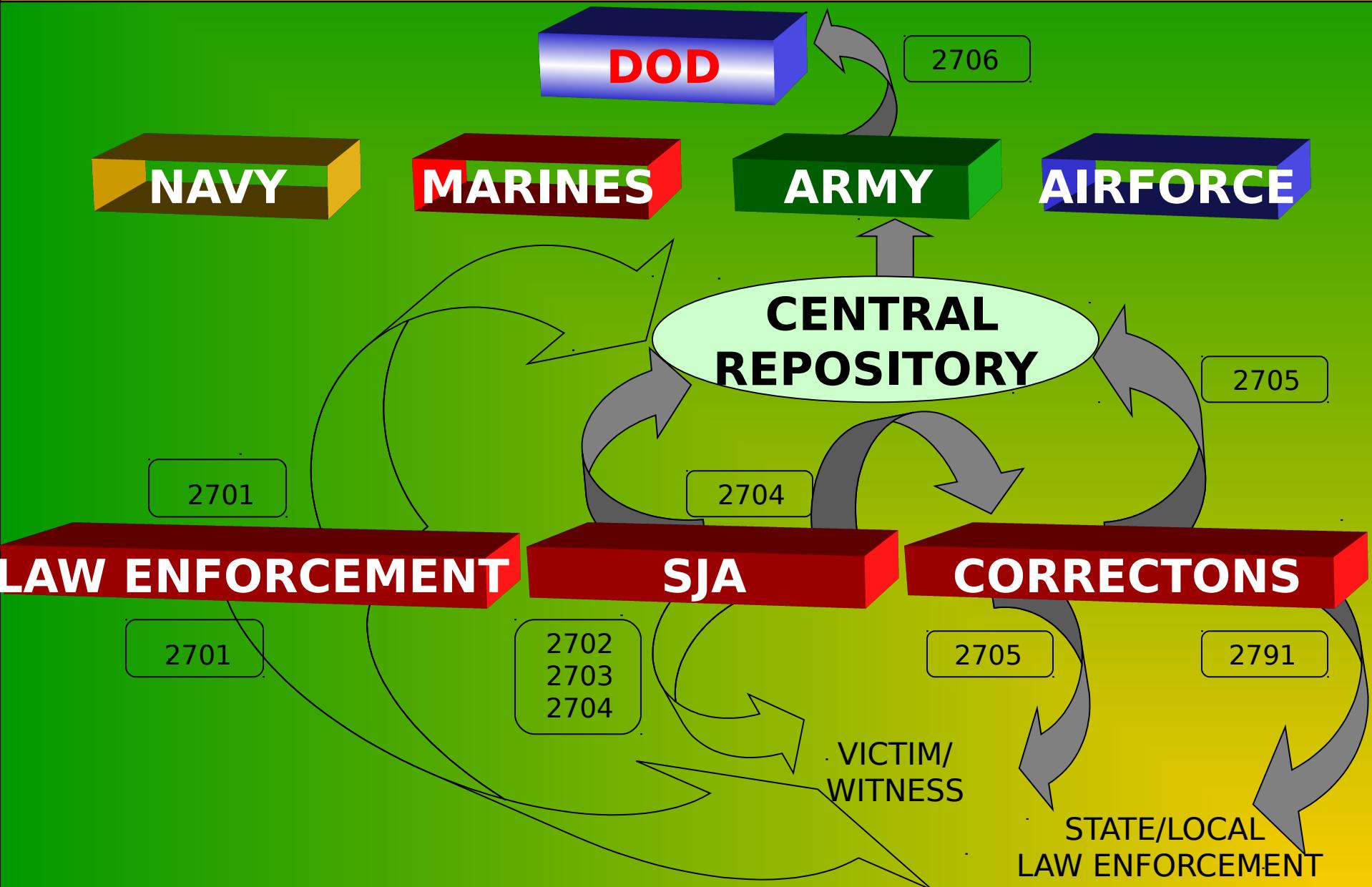
- ❑ Published interim guidance
- ❑ Revision of AR 190-47, Army Corrections System, due out mid summer 2003
- ❑ *Implementation of Army centralized transfer system for prisoner transferring into Army corrections facilities or Federal Bureau of Prisons*
- ❑ DD Form revisions
 - DD Form 2791
 - DD Form 2791-1
 - DD Form 2704 (Updated 1999)
 - DD Form 2705
- ❑ Conduct training conferences
 - Victim Services in Corrections
 - Staff Victimization
 - Impact of Crime on Victims Programs
 - DOD Directive and Instructions



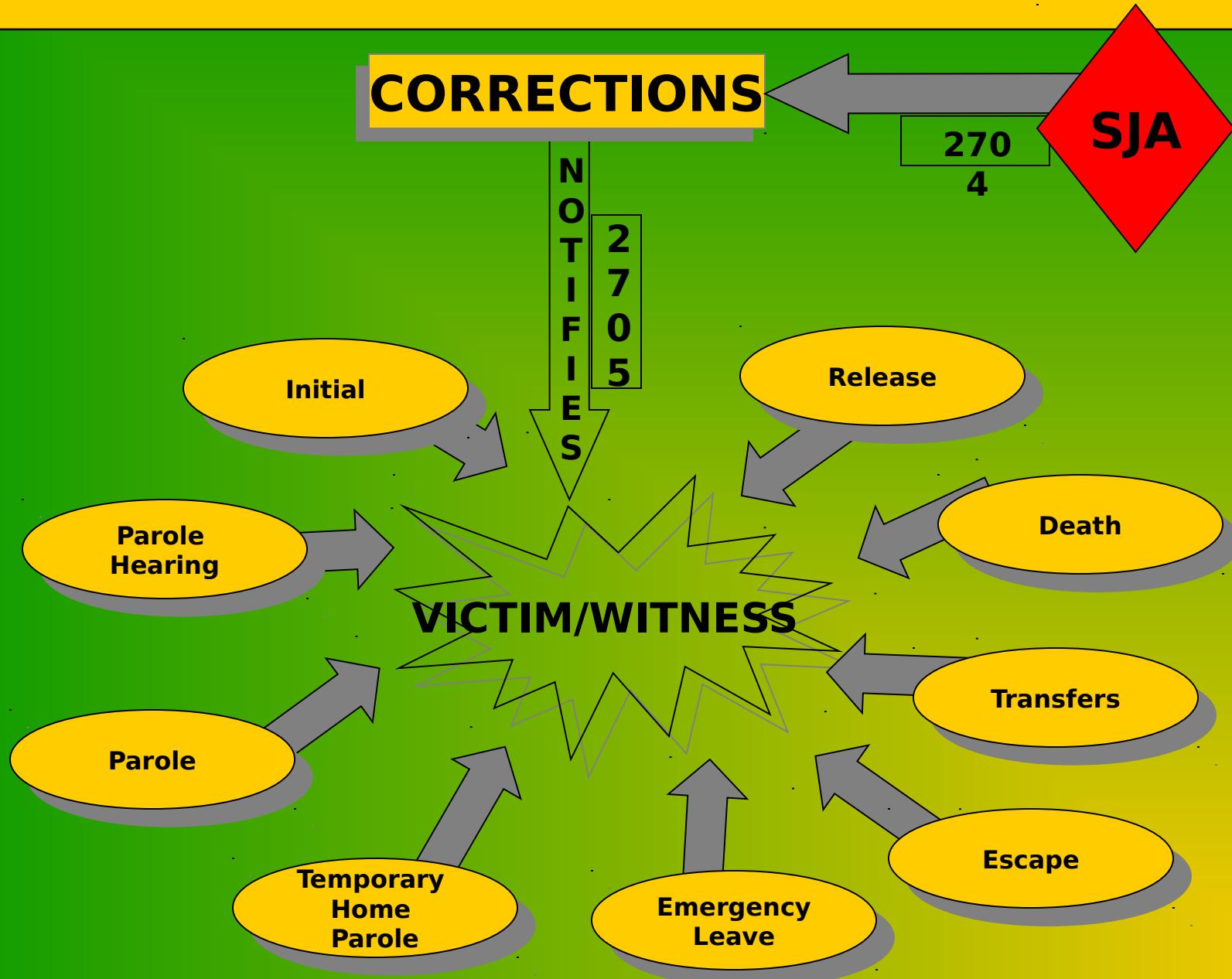
GUIDANCE FLOW



NOTIFICATION & REPORTING FLOW



VICTIM/WITNESS NOTIFICATION (POST TRIAL)



BASIC SENTENCE COMPUTATION, AR 633-3

| | YEAR | MONTH | DAY | COMPUTATION # |
|-----------------------|------|-------|-----------|---------------|
| Date Adjudge | 2003 | 05 | 7 | |
| 22042 | | | | |
| Court Day | | | -1 | -1 |
| <u>Sentence (PTA)</u> | | | <u>30</u> | <u>30</u> |
| Max Release | 2003 | 06 | 5 | 22071 |
| GTC | | | -5 | |
| -5 | | | | |

| | YEAR | MONTH | DAY | COMPUTATION # |
|-----------------------|-----------|-------|-----|---------------|
| Date Adjudge | 2003 | 05 | 7 | |
| 22042 | | | | |
| Court Day | | | -1 | -1 |
| <u>Sentence (PTA)</u> | <u>10</u> | | | |

| | | | |
|-------------|------|----|---|
| Max Release | 2013 | 05 | 6 |
| 25694 | | | |

DD FORMS

- DD Form 2704, dated Mar 1999, Victim/Witness Certification and Election Concerning Inmate Status**
 - Ensure V/W information is complete and legible and indicate with initials notification preference
- DD Form 2705, Victim/Witness Notification of Inmate Status**
 - Brief the V/W on the minimum and maximum release dates.
 - Address for Parole and Clemency Board
 - Available POC
- DD Form 2706, Annual Report on Victim and Witness Assistance**
- DD Form 2791, Notice of Release of Military Offender convicted of Sex Offense**
- DD Form 2791-1, Prisoner's**

TRANSFERS

- Any prisoner movement into the Army Corrections System (ACS), Initial confinement or transfer for further confinement:**

STEP 1: Compile documents; Result of Trial, Confinement Order, Report of Investigation (ROI), list age and prior the number of ART 15s and/or convictions, DD Form 2704, Charge sheet, Military Police Report

Step 2: Fax the documents and information to HQDA:

(CONUS) POC: SFC Roberson, MSG Patterson, (703) 697-8226 (DSN) 227.

Follow-up with a call (703) 697-7388 (DSN) 227/ (703) 695-8872 (DSN) 225

Hand carry the documents and information to Mannheim

(OCONUS) POC: SFC Powell (DSN) 314 382-5193, 24 hrs DSN 314 382-5272

Step 3: Movement of prisoner to designated ACS facility at designated time

Only.

DO NOT TAKE THE PRISONER TO AN UNDESIGNATED FACILITY

federal Bureau Of Prisons (FBOP) Transfer

- Any person when is believed to be mentally incompetent to stand trial or physically injured are so severe, needed medical attention is only offered in at the FBOP:**

STEP 1: Have the person evaluated by competent medical personnel either mental or physical evaluation, specifying the individual's condition. This information must be in written documentation.

STEP 2: Fax the documents and information to POC: SFC Roberson, MSG Patterson, (703) 697-8226 (DSN) 227. Follow-up with a call (703) 695-8872 (DSN) 225/

(703) 697-7388 (DSN) 227. DAMO-ODL-C will evaluate and determine on the final destination of where the prisoner will be transferred.

STEP 3: DAMO-ODL-C will contact the requesting agency upon acceptance into the FBOP.

CONCLUSION

EFFECTIVE COMMUNICATIONS IS THE KEY TO
OPERATING AN EFFICIENT VICTIM/ WITNESS
ASSISTANCE PROGRAM

Questions ??????

Thank You